



Summary of proposed changes to the General Policy on Distribution

This is a summary of the key changes that have been made to the Directors UK distribution policy. Page numbers refer to the full General Policy on Distribution which follows.

- Pages 3 and 14: Inclusion of the words 'immediately after allocation' in order to specify when we will make the trace list publicly available.
- Page 4: Added explanation of the methods used by Directors UK to track down non-member right holders who have money allocated to them under the UK distribution scheme (this had previously only been mentioned on the foreign area of the policy). Have also made minor changes to the wording on this section, and the corresponding area of the foreign policy (page 14).
- Pages 5 and 10: Removal of the word 'annually' when describing the AGM's responsibility to review Management Fee levels.
- Pages 5-6: Changes to the membership structure of the Distribution Committee.
- Page 7: Removal of the word 'annually' when describing the AGM's approval of the General Policy of Distributions.
- Pages 8-9, 10-11, 12: Updated relevant societies in these lists and other minor changes.
- Page 13: Amendment to the length of time Directors UK shall take to distribute payments received under the foreign scheme – this has gone from 9 months from the end of the financial year in which the payments were received to 6 months from receipt.

Full General Policy on Distribution

General Policy on Distribution (UK)

Under the terms of the Directors' Rights Agreement Directors UK receives an annual payment to compensate freelance television directors for the secondary use of their work.

Directors UK is charged with the responsibility of devising, implementing and administering a scheme for the distribution of payments to individual directors. This takes account of the type of programme, the length of the work and the form of the secondary use. The scheme is based on information supplied by broadcasters and production companies.

The scheme applies to all works for which the director was engaged under a freelance contract which commenced on or after 1 July 2001. To benefit, directors must be registered with Directors UK as full or distribution only members.

If you think you may be due payment under these new arrangements, or require further information, contact Kate Parish at the Directors UK office via membership@directors.uk.com.

For full details of the UK Distribution Points Scheme, please [download the PDF](#).

If you have received a UK payment from Directors UK and would like further information on VAT and the codes used on your invoice please [click here](#).

UK distribution scheme

Under the terms of the 'Directors' Rights Agreement', producers make a fixed annual payment to Directors UK. This is to be used to compensate for uses of the rights that are assigned to producers under individual contract and is distributed to individual directors according to a scheme devised and administered by Directors UK.

Producers are contractually required to supply Directors UK with information on which to base distributions of payments under the Distribution Scheme. This includes details of all secondary exploitation of qualifying works.

1. Objectives of the Scheme

Directors UK is committed to operating a scheme that:

- is fair and fully reflects the commercial success of a work and the individual director's creative input

- is approved and endorsed by all interested parties including, but not limited to, agents and directors' unions
- compensates all directors for secondary uses of their qualifying work
- can be adapted and amended to reflect changes in the way works are used and exploited

Points will be allocated for each element (A, B & C) as listed in Appendix 1.

2. Calculation of payments

Payment takes account of:

- the type of work ("A")
- the length of the work ("B")
- the nature of the secondary exploitation ("C")

The amount due for each use of a work is calculated according to the following formula:

$$A \times B \times C \times \text{value per point}$$

The monetary value per point will vary from year to year and will be fixed annually on the basis of:

$$\text{Amount available for distribution} \div \text{Total number of points allocated.}$$

3. Qualification

Payments apply to all Works for which the director is engaged under a freelance contract and the period of his/her engagement commences after 1st July 2001.

To receive a payment under the scheme the director must be a member of Directors UK and have signed the 'Directors UK Collection Agreement for Television Productions'.

A list of directors potentially eligible for payment, but not registered with the organisation, is distributed to all Directors UK members receiving payment. **This list is also made available on our website immediately after allocation.**

4. Interpretation

Distribution is based on information supplied by producers.

In cases where two or more directors are listed as having directed a work, payment due for that work is divided equally between the directors concerned unless an individual director is

able to supply written documentation confirming that he/she was engaged as the principal director.

Where no director is listed in information supplied by producers and where Directors UK is unsuccessful in identifying the director, no payment will be due for the work unless a member is able to supply written documentation confirming that he/she was engaged as principal director of the work.

5. Distribution of Payments and Supplementary Distribution

Initial distribution of payments will be no later than 9 months after the end of the reporting year.

During the initial distribution, a minimum of 10% of the amount available for distribution will be held back to cover payments for any late reporting received after allocation. If more than 10% is held back then the Board of Directors UK will be informed of such, together with an explanation of why this was necessary.

During a period of 18-months after allocation, Directors UK shall take all reasonable measures to track down the right holder in accordance with the 2016 Collective Rights Management (CRM) Directive. The amount of work carried out to track down a relevant right holder will be proportional to the amount of money due to that person. Examples of measures taken to track down right holders include, but are not limited to:

- Making available to members, sister societies and the public, the list of directors for whom we are currently holding money and their works immediately after allocation
- Contacting agencies or production companies
- Using social media such as Facebook, LinkedIn and Twitter
- Internet research
- Tracking Estates of directors via their Probate

Any money still unallocated after 18 months will be subject to the following rules. Not less than 18 months after an initial distribution and not more than 24 months after the end of a reporting year, a supplementary distribution will take place. Any money not allocated, and any money allocated to a director who has not registered with Directors UK, will be distributed in the form of a supplementary payment to all members who received payment in the initial distribution. Payments will be proportionate to the original payment.

e.g. Payments for the reporting year 1 July 2015 to 30 June 2016:

- Initial distribution – December 2016

- Supplementary Payment – July 2018

[Details of the distribution timetable.](#)

6. Management Charges and Deductions

All payments issued by Directors UK will be subject to deduction of a management charge levied by the organisation at a level determined by the Board of Directors of Directors UK. This is currently 10% of the gross amount for UK payments.

This level is approved at the General Assembly of Members.

An additional charge of £10 + VAT is deducted from all payments issued by cheque where the payment is issued to a UK resident. A receipt for this amount is sent with the payment. VAT is charged on the management fee in the case of all payments issued to UK residents and to EU residents who are not themselves registered for VAT.

VAT is not charged on payments issued to residents outside the European Union or where the member is a resident of another EU country and is VAT registered.

7. Management of the Scheme

The Board of Directors of Directors UK appoints the Distribution Committee to oversee the administration of the Points Scheme. This Committee consists of members of Directors UK of whom not less than 2 are members of the Board. The composition of the committee will, as far as possible, reflect the range of genres in which Directors UK members work and where those works are eligible under our distribution schemes.

Any member eligible to receive payments under our distributions schemes is eligible to sit on the Committee. If a member wishes to join the Committee, they should contact the office.

The Distribution Committee may co-opt further members to ensure that it represents the membership and contains the necessary range of expertise.

The Board of Directors UK will, in addition, appoint a member of the Board to Chair the Committee and be responsible for reporting back to the Board.

The Distribution Committee will appoint two Vice Chairs. The length of service of the Vice Chairs shall be 3 years and may be re-appointed for a second term only. The Distribution Committee will meet not less than four times per year. The Committee is responsible for:

- i. Reviewing the Distribution Scheme on a regular basis and making recommendation to the Board of Directors UK for approval as deemed necessary. This review will include, where possible, analysis of relevant data (e.g. viewing figures) to ensure that the scheme is fit for purpose and fair.
- ii. Dealing with all general matters relating to the distribution of the scheme.
- iii. Making recommendation to the Board in respect of any works, or secondary use of works, which fall outside the general categorisation used in Appendix 1

8. Disputes

Any matter raised by a member of the organisation concerning the Distribution Scheme will be referred by the Board of Directors UK to the Distribution Committee for comment and recommendation. If the matter cannot be resolved with the member concerned it will be referred to the Board of Directors. Any decision reached by the Board will be final.

In the case of a dispute existing between two members of Directors UK they will, in the first instance, be advised to attempt to resolve the matter amicably themselves. The matter will only be referred to the Distribution Committee when it can be shown that this attempt at reconciliation has taken place and failed. [Further information regarding our disputes procedure.](#)

9. Notification Sheet

Under the terms of Clause 7 of the 'Collection Agreement for Television Production' the Directors UK member is required to complete a Work Registration Form. The member may nominate, in writing, an agent to complete the forms on their behalf. Directors UK cannot be held responsible for any failure to issue payment in respect of a work for which a Form has not been received. Members can register the works via their profile on the Directors UK website

10. Issuing of payments

Payment for a work is issued to the bank account as notified by the member in writing.

Subsequent payments for the work will continue to be paid to that bank account unless written instruction to the contrary is received from the director concerned.

11. Indemnity

Directors UK cannot be held responsible for non-payment in respect of works not notified by either the member or the producer.

12. Modifications to the Scheme

The Distribution Committee will undertake a regular review of the Distribution Scheme. Directors UK Members are invited to submit written comments for consideration by the Committee. The Distribution Committee will make recommendation to the Board who are ultimately responsible for approving and implementing any modifications to the Scheme.

To read the appendix, which includes information about the distribution of ERA payments, please download the forms below.

This General Distribution Policy is approved by the General Assembly of Members.

13. Notification of Outstanding Payments

Upon individual request by a director, Directors UK will inform the director of any sums outstanding for their works for a specific period, provided there are no objective reasons for not doing so (such as any uncertainty of that director's eligibility to claim payments for the work). If there is such a reason, then Directors UK will provide an explanation as to why they are unable to disclose the amount at that time. Any amounts quoted by Directors UK may be subject to change between the time of the initial query and the time of distribution to members.

General Policy on Distribution (Foreign)

Foreign Collections

Throughout the European Union (and in several other countries) film and television directors are legally recognised as being authors of their work. This right of authorship may give directors an entitlement to receive payment for certain uses of their work – such as cable retransmission, private copying and video rental.

These payments are administered through the international network of authors' collecting societies.

Directors UK has concluded agreements with societies in over 25 countries and has collected considerable sums of money on behalf of British film and television directors over the past twenty years.

It is in your interest to register with Directors UK as soon as possible to ensure you receive any payment due to you. Contact the Membership department at membership@directors.uk.com.

If you have received a foreign payment from Directors UK you can find further information about [VAT, EC Sales lists or the codes used on your invoice here](#).

Directors UK currently has agreements with the following collecting societies:

ATN	Chile
AuPO CINEMA	Ukraine
COPYDAN	Denmark
COPYSWEDE	Sweden
DAC	Argentina
DAMA	Spain
DHFR	Croatia
DILIA	Czech Republic
DIRECTORES	Mexico
FILMAUTOR	Bulgaria
FILMJUS	Hungary

KOPIOSTO	Finland
LATGA-A	Lithuania
LITA	Slovakia
NORWACO	Norway
RUR	Russia
SACD	France (dramatic works)
SACD/SCAM	Belgium
SCAM	France (factual works)
SIAE	Italy
SPA	Portugal
SSA	Switzerland (works in the French language)
SUISSIMAGE	Switzerland
VDFS	Austria
VEVAM	Netherlands
VG BILD-KUNST	Germany
ZAPA	Poland
ZAVOD AIPA	Slovenia

We also have exchange arrangements with DGA (USA), DRCC (Canada) and ASDACS (Australia).

Management Charges

A management fee is deducted from each payment issued. This is currently 15% for payments received from foreign collecting societies.

VAT is charged on the management fee in the case of all payments issued to UK residents and to EU residents who are not themselves registered for VAT.

VAT is not charged on payments issued to residents outside the European Union or where the member is a resident of another EU country and is VAT registered.

An additional charge of £10 + VAT is deducted from all payments issued by cheque where the payment is issued to a UK resident. A receipt for this amount is sent with the payment.

The Management Fee levels and other deductions are approved at the General Assembly of Members.

1. Monitoring and Preparation of Claims

(a) CLAIMS

The following CMOs (Collective Management Organisations) require a claim to be submitted:

- Suissimage
- VDFS

(b) CHECKLISTS

The following CMOs issue checklists before payment is issued. Works on the returned list represent the Directors UK 'claim'.

AuPO CINEMA	Ukraine
DAMA	Spain
DILIA	Czech Republic
FILMJUS	Hungary
KOPIOSTO	Finland

LATGA-A	Lithuania
LITA	Slovakia
SACD	France
SCAM	France
SIAE	Italy
VEVAM	Netherlands
VG BILD-KUNST	Germany
ZAPA	Poland

2. Administration

- (a) All claims must be prepared in accordance with the requirement of the distributing society and submitted on time.
- (b) All checklists must be prepared in accordance with the requirement of the distributing society and submitted on time.
- (c) Every effort must be made to ensure that information contained in claims and on checklists is accurate and complete.
- (d) Where appropriate, information must be submitted using CISAC standard formats.
- (e) Claims can only be made in respect of works that are on the Directors UK database.
- (f) Directors UK staff will use reasonable endeavours to obtain information on works which are included on checklists and/or claims but which have not been registered on the Directors UK database. If the necessary information cannot be found for a qualifying work by the date due for the submission of information to the distributing society, the work will be removed from the claim.

3. Allocation of Payments

- (a) Payment allocated by the distributing society

The following societies issue full distribution information (i.e. actual amount due per work).

AuPO CINEMA	Ukraine
DAC	Argentina
DAMA	Spain
DHFR	Croatia
DILIA	Czech Republic
FILMJUS	Hungary
KOPIOSTO	Finland
LATGA-A	Lithuania
LITA	Slovakia
RUR	Russia
SACD	France
SCAM	France
SIAE	Italy
SPA	Portugal
SSA	Switzerland
SUISSIMAGE	Switzerland
VDFS	Austria
VEVAM	Netherlands
VG BILD-KUNST	Germany
ZAPA	Poland

(i) Where individual episodes in a series cannot be identified any payment for the series will be shared between the directors concerned, in proportion to the number of episodes each directed.

(ii) Where the year of production of a series is not known, and it appears on a distribution list for the first time, the first series will be allocated payment. The following year, the second series will be allocated payment etc.

b) Allocation of payments by Directors UK.

The following societies issue a fixed sum to Directors UK. Allocation of individual payments is at the discretion of Directors UK.

COPYDAN	Denmark
COPYSWEDE	Sweden
NORWACO	Norway

In the case of money received from these societies the following procedure will be adopted:

- Every reasonable effort will be made to identify qualifying works transmitted on the relevant channels during the period concerned. These will be included in the distribution.
- Payments will be allocated based on a points scheme which takes into consideration the genre and the length of the work. These values are set by the Distribution Committee and approved by the Board of Directors UK. Please see Foreign Appendix for further details.
- We occasionally receive a lump sum payment from sister societies with little or no reporting. In these instances, the Distribution Committee is consulted and payment is allocated according to the most accurate usage information available to Directors UK.

c) Payments will be distributed in accordance with our distribution timetable but no less than 6 months from receipt of the revenue unless there are objective reasons which prevent the distribution of these payments (such as lack of, or incorrect, reporting). [Full details of our distribution timetable can be found here](#). There will be no less than two foreign distributions held in any one calendar year.

4. Notification of Outstanding Payments

Upon individual request by a director, Directors UK will inform the director of any sums outstanding for their works for a specific period, provided there are no objective reasons for not doing so (such as any uncertainty of that director's eligibility to claim payments for the work). If there is such a reason, then Directors UK will provide an explanation as to why they are unable to disclose the amount at that time. Any amounts quoted by Directors UK may be subject to change between the time of the initial query and the time of distribution to members.

5. Policy on Non-distributable payments (foreign)

In order to be paid any amounts due to them, the director (right-holder) must be registered with either Directors UK or be registered with a sister Collective Management Organisation (CMO) representing directors. If you are on our [trace list](#) and would like to join Directors UK, or are already registered with a sister CMO, then please contact the Directors UK office at membership@directors.uk.com.

In compliance with the 2016 Collective Rights Management (CRM) Directive, there is a time limit for which right holders are able to claim payments allocated under the foreign distribution scheme.

Any money allocated to non-registered right holders and not claimed within 3 years of allocation will be declared as potentially non-distributable.

During this initial period, Directors UK will take all reasonable measures to track down the right holder in accordance with the 2016 Directive. The amount of work carried out to track down a relevant right holder will be proportional to the amount of money due to that person. Examples of measures taken to track down right holders include, but are not limited to:

- Making available to members, sister societies and the public, the list of directors for whom we are currently holding money and their works immediately after allocation
- Contacting agencies or production companies
- Using social media such as Facebook, LinkedIn and Twitter
- Internet research
- Tracking Estates of directors via their Probate

If, after a further three-year period, this money has still not been claimed by the right holder it will be declared fully non-distributable and reallocated in accordance to the Directors UK non-distributable policy which is approved, together with the General Rules of Distribution, at the Directors UK General Assembly of Members.

Upon joining, a new member (or member of a sister society) may wish to submit a claim in writing for any payments dating older than 6 years which have been declared as non-distributable according to the above rules. Directors UK will review these claims on a case by case basis. A claim will only be honoured with approval from the CEO and Director of Finance. If a claim is rejected by Directors UK, then a response will be sent to the member explaining why it was unsuccessful. This policy will be subject to regular review.